

Message Text

LIMITED OFFICIAL USE

PAGE 01 TEL AV 06625 061143Z
ACTION OES-07

INFO OCT-01 NEA-10 ISO-00 NSF-01 AGRE-00 EPA-01 COME-00
ERDA-05 L-03 /028 W
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FM AMEMBASSY TEL AVIV
TO SECSTATE WASHDC 8116

LIMITED OFFICIAL USE TEL AVIV 6625

E.O. 11652: N/A
TAGS: TGEN, IS
SUBJECT: U.S.-ISRAEL BINATIONAL SCIENCE FOUNDATION:
SEPT. 16 MEETING-PATENT POLICY

REF: STATE 203529

1. BSF LEGAL ADVISER MEIR ARANNE PROPOSES FOLLOWING
CHANGES TO U.S. VERSION OF PROPOSED PATENT POLICY,
CONTAINED IN CHAPMAN (STATE-OES) LETTER OF JUNE 28 TO
SCIATT.

(A) PARAGRAPH 1, DELETE WORDS "IN THE COURSE OF OUR UNDER"
AND INSERT INSTEAD THE WORDS "AS A RESULT OF". REASON:
SEE ARTICLE 2 H OF BRIDF REGULATIONS.(SCIATT SUGGESTS
THIS IS REFERENCE ON 2 H (7), WHICH CONTEMPLATES
EXPENDITURES BY INVENTOR BEFORE BSF SUPPORT BEGINS).

(B) PARA 2, DELETE "EITHER PARTY" AND SUBSTITUTE "THE
INVENTOR". AFTER "PRPTECTION" ADD "THE BSF". DELETE
"NEITHER PARTY", AND AFTER WORD "SHALL", INSERT "NOT".
REASON: PARA 1 MAKES NO REGERENCT TO COMMUNICATIONS
FROM BSF TO INVENTOR,SO PARA 2 MAY NOT REFER TO
COMMUNICATIONS TO THE INVENTOR UNDER PARA 1.

(C) PARA 3, FOLLOWING "SEEK PATENT PROTECTION", ADD
"PROVIDED THAT HE HAS APPLIED FOR PATENT PROTECTION
IN THOSE COUNTRIES WITHIN A PERIOD OF SIX MONTHS AFTER
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MAKING THE COMMUNICATION REFERRED TO IN PARA. 1." ALSO
SUGGEST THAT WORDS "/BASF SHALL ACQUIRE", BE REPLACED
BY WORDS "BSF SHALL BE ENTITLES TO ACQUIRE

(D) PARA 4, LAST SENTENCE SUGGEST THAT WORDS "REVENUES
SO RECEIVED", BE REPLASED BY WORDS "REVENUES RECEIVED
BY THE BSF.

(E) PARA 6: SUGGEST INITIAL WORD "INSTITUTIONS" BE

CHANGED TO "INVENTORS", IN KEEPING WITH DEFINATION
IN PARA 1. ALSO IN PARA 6, ARANNE QUESTIONS
DESIRABILITY OF PHRASE, "WHICH HAVE ACTUALLY BEEN
REDUCED TO PRACTICE", WHICH HAS EFFECT OF RESTRICTING
SCOPE OF DISCLOSURE. HE ALSO QUESTIONS UTILITY OF
SECOND SENTENCE, WHICH EXCLUDES PARAS 3 AND 4 AND MAY
THEREBY DETER APPLICATIONS FOR WORTHWHILE PROJECTS.
(F) PARA 7: ARANNE SUGGESTS NEED TO QUALIFY
"GOVERNMENTAL PURPOSES" WITH WORDS "NON-COMMERCIAL",
SINCE GOVERNMENT POLICY CANNOT BE DETERMINED IN
ADVANCE.
(G) PARA 8: ARANNE INQUIRED SHETHER WORD "PERSONS"
IN FIRST LINE INCLUDES "CORPORATIONS."
(H) PARA 12: SUGGEST REPLACING WORDS "U.S. GOVERNMENT"
WITH PHRASE "U.S. OR ISRAEL GOVERNMENT ARISING OUT OF
HIS EMPLOYMENT BY THAT GOVERNMENT". ARANNE ASKS WHAT
PROVISIONS WILL APPLY WHEN THIS PATENT POLICY DOES NOT.
LEWIS

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Message Attributes

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Sent Date: 06-Sep-1977 12:00:00 am
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Disposition Approved on Date:
Disposition Case Number: n/a
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